

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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|---------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA, | : | |
| | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | Criminal Action No. 07-48-GMS |
| | : | |
| TYRONE ROANE, | : | |
| | : | |
| Defendant. | : | |

DEFENDANT'S PROPOSED VOIR DIRE QUESTIONS

Tyrone Roane, by his undersigned counsel, Edson A. Bostic, Federal Public Defender, hereby requests the Court to ask the following questions during voir dire of the jury panel, in addition to the Court's standard voir dire inquiry:

1. Do you know anything at all about the facts of this case? Have you heard anything about this case since you arrived at the courthouse?
2. Have you ever been a juror before? If yes, where, when, and in what type of case (civil or criminal)?
 - (a) Were you able to reach a verdict?
 - (b) If so, after the verdict, did anyone (including court personnel, attorneys, the judge, *et cetera*) say anything to you that called into question the correctness of the verdict?
3. Have you, or has anyone close to you, ever been the victim of a crime or participated in a criminal case as a complainant, witness for the government, or in some other capacity?

If yes, please explain.

4. Have you, or has anyone close to you, ever been involved in law enforcement? If yes, please explain.

5. Do you believe that the testimony of law enforcement officers, because of their status as law enforcement officers should be given more weight than the average citizen? Why or why not?

6. The indictment is not evidence of any kind. It merely describes the charges against Mr. Roane. It is an accusation. You must not consider the indictment as any evidence of guilt nor should you draw any inferences of guilt from it. Does anyone have difficulty following this instruction?

7. Mr. Roane is presumed to be innocent of all charges. That presumption remains throughout the entire trial unless a jury unanimously finds Mr. Roane guilty beyond a reasonable doubt. Would anyone have difficulty following this instruction?

8. Do you have a problem accepting the notion that the burden of proof at all times lies with the government in a criminal case and that the accused has no burden to prove innocence?

9. Do you think that someone accused of a crime should present a defense?

10. Do you feel that criminal defendants have too many rights?

11. Mr. Roane is charged with Count I. Possession with intent to distribute more than five grams of a mixture containing a detectable amount of cocaine base or "crack"; Count II. Possession of a firearm by a previously convicted felon; Count III. Possession of a firearm in furtherance of drug trafficking crime, namely possession with intent to deliver in excess of five grams of cocaine base or "crack."

Is there anything about the nature of these charge that would prevent you from being fair and impartial?

12. Do you have any attitudes or beliefs which you feel would make it difficult or you to give a fair trial to all sides in a matter in which the accusation involves an allegation of unlawful gun possession?

13. Are you or have you ever been a member of the National Rifle Association? If so, is there anything about that affiliation, that would prevent you from being a fair and impartial juror in this case?

14. Does the fact that this case has been brought in federal court instead of state court affect your ability to be fair and impartial in this case? Why or why not?

15. Do you know of any reason why you may be unable to be a fair and impartial juror in this case, based on the nature of the charges or otherwise?

Respectfully submitted,

/s/

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Attorneys for Defendant Tyrone Roane

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